

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 147 - HB 736

February 17, 2015

SUMMARY OF BILL: Creates a new Class D felony for knowingly exploiting a mentally or physically dysfunctional adult or an adult of advanced age.

Authorizes judges to freeze a defendant's assets for the purposes of restitution if the defendant is charged with exploitation that involves the taking or loss of property valued at more than \$5,000.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Under Tenn. Code Ann. § 71-6-117, it is illegal to knowingly exploit an adult. It is assumed that any conduct made illegal by the bill is already being prosecuted under Tenn. Code Ann. § 71-6-117.
- It is further assumed that authorizing judges to freeze a defendant's assets will not significantly impact the courts' operations, which the Administration Office of the Courts confirms.
- The bill will not significantly impact the caseloads of the District Attorneys General Conference or the District Public Defenders Conference as it does not criminalize conduct that is currently legal.

**Tennessee Code Annotated § 9-4-210 requires an appropriation from recurring revenues for the estimated operation cost of any law enacted after July 1, 1986 that results in a net increase in periods of imprisonment in state facilities. The amount appropriated shall be based upon the highest cost of the next 10 years.*

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CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in dark ink, appearing to read "Jeffrey L. Spalding". The signature is fluid and cursive, with the first name "Jeffrey" and last name "Spalding" clearly distinguishable.

Jeffrey L. Spalding, Executive Director

/trm